

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 02-CV-3830
	:	
ADVANCED ENVIRONMENTAL	:	
TECHNOLOGY CORPORATION, et al.,	:	
	:	
Defendants.	:	

**DECLARATION OF JEFFREY L. PETTIT IN SUPPORT OF THE
MEMORANDUM OF LAW IN SUPPORT OF THE
MOTION FOR SUMMARY JUDGMENT OF DEFENDANT ASHLAND INC.**

JEFFREY L. PETTIT hereby declares as follows:

1. I am an attorney-at-law admitted to practice law before this Court in connection with the above-captioned matter and I am a member of the firm of Phelan, Pettit & Biedrzycki, LLC, attorneys for Defendant Ashland Inc. ("Ashland") in the within matter.

2. I submit this declaration in support of Ashland's motion for partial summary judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure.

3. Attached hereto as Exhibit "15" is a true and correct copy of the Generator Approval Notification, dated February 25, 2004, produced by Plaintiffs as document BSAI 059273.

4. Attached hereto as Exhibit "16" is a true and correct copy of the Waste Characterization Report signed by Craig Coslett on January 6, 2004 and produced by Plaintiffs as document BSAI 059382-059384.

5. Attached hereto as Exhibit "17" is a true and correct copy of excerpts from the deposition of Ashland's Arthur Curley taken in United States v. Davis v. American Cyanamid case on August 21, 1996.

6. Attached hereto as Exhibit "18" is a true and correct copy of excerpts from the deposition of Thomas F. Healey taken in this case on February 10, 2005.

7. Attached hereto as Exhibit "19" is a true and correct copy excerpts from the deposition of Plaintiffs' expert, Jurgen H. Exner, Ph.D., taken in this case on January 9, 2007.

8. Attached hereto as Exhibit "20" are true and correct copies of documents evidencing sales to DeRewal Chemical Company by Ashland marked as Exhibit "20" at the deposition of Bruce DeRewal taken on March 13, 1997.

I declare under penalty of perjury that the foregoing is true and correct.

s/Jeffrey L. Pettit
Jeffrey L. Pettit, Esquire
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